

§ 14.405

(12) 46 U.S.C. 10509, Penalty for failure to begin coastwise voyages.

[CGD 94-004, 61 FR 56637, Nov. 4, 1996, as amended by USCG-2004-17914, 78 FR 77999, Dec. 24, 2013]

§ 14.405 Procedures.

(a) Upon written request for the owner, charterer, managing operator, master, or individual in charge of the vessel to the Coast Guard OCMI in whose zone the vessel is located, the Commandant may grant an exemption of any oceanographic research vessel designated by 46 U.S.C. 2113(2) from any requirement of any section listed by § 14.403(b).

(b) The request must state—

(1) Any requirement of any section listed in § 14.403(b) from which the applicant wishes an exemption; and

(2) What business practices regarding, among other things, the shipment and discharge of merchant mariners, their pay and allotments, and the adequacy of their clothing would justify the exemption.

(c) The Coast Guard will forward the request, along with his or her recommendation, to the Commandant, who will determine whether to grant any exemption of any vessel from any requirement. The Coast Guard will issue a letter indicating any exemption granted. The master or individual in charge of the vessel must keep the letter aboard the vessel.

(d) If operating conditions change, the owner, charterer, managing operator, master, or individual in charge of the vessel must so advise the Coast Guard. The Coast Guard will forward pertinent information on how the conditions have changed, along with his or her recommendation, to the Commandant, who will determine whether any exemption should remain granted.

[CGD 94-004, 61 FR 56637, Nov. 4, 1996, as amended by USCG-2004-17914, 78 FR 78000, Dec. 24, 2013]

§ 14.407 Reports.

(a) The owner, charterer, managing operator, master, or individual in charge of each oceanographic research vessel of 100 GRT or more must maintain a record of the employment, discharge, or termination of service of every merchant mariner in the crew.

46 CFR Ch. I (10-1-14 Edition)

At least every 6 months, the person maintaining this record shall transmit it to the Coast Guard, either manually, in the form of a copy of a certificate of discharge, or electronically to the address provided in § 14.103 of this part.

(b) The owner, charterer, managing operator, master, or individual in charge of the vessel must keep original shipping articles and a copy of each certificate of discharge ready for review by the Coast Guard or the concerned mariner upon request. The Coast Guard will no longer keep either original articles or copies of certificates of discharge; it will keep only electronic records of employment.

(c) The master or individual in charge of the vessel must ensure that every entry made in the articles agrees with the corresponding entry made in a continuous discharge book, on a certificate of discharge, or in any other proof of sea service furnished to the mariner.

(d) Each oceanographic company must keep all original articles and copies of all certificates of discharge for 3 years. After 3 years the company must prepare the original shipping articles in alphabetical order by vessel name and send to the address in § 14.103(a) of this part for storage at the Federal Records Center at Suitland, Maryland. The company may dispose of the copies of certificates of discharge. The Coast Guard will dispose of copies of certificates submitted manually, once the information is entered into its sea-service database and is validated.

(e) Each oceanographic company that goes out of business or merges with another company must send all original articles to the address in § 14.103(a) within 30 days of the transaction.

(f) Articles sent for storage to the address in § 14.103(a) of this part that are not prepared in accordance with paragraph (d) of this section may be returned to the company for correction.

[CGD 94-004, 61 FR 56637, Nov. 4, 1996, as amended by USCG-2004-17914, 78 FR 78000, Dec. 24, 2013; USCG-2014-0688, 79 FR 58279, Sept. 29, 2014]